

**UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND**

MALIBU MEDIA, LLC,

Plaintiff,

v.

JOHN DOE,

Subscriber Assigned IP Address 108.45.35.78,

Defendant.

Civil Action No. TDC-15-3185

ORDER

On January 5, 2018, United States Magistrate Judge Charles B. Day filed a Report and Recommendation in which he recommended that this Court grant the Motion for Default Judgment filed by Plaintiff Malibu Media, LLC (“Malibu”), grant Malibu’s requested statutory damages in the amount of \$24,000 as well as its request for permanent injunctive relief, and deny Malibu’s request for attorney’s fees. Malibu timely filed an Objection to the Report and Recommendation on January 19, 2018. ECF No. 38; *see also* Fed. R. Civ. P. 72(b)(2). Having conducted a *de novo* review of that portion of the Report and Recommendation to which an objection has been made, the Court finds that the Objection lacks merit.

The Court is troubled by Malibu’s submission of identical billing statements in multiple cases. The Court cautions that attorney’s fees requests must be true and accurate. In the future, submission of false or misleading attorney’s fees statements may result in referral to the Court’s Disciplinary and Admissions Committee.

Accordingly, upon review of Judge Day’s Report and Recommendation, it is hereby ORDERED that:

1. Judge Day's Report and Recommendation, ECF No. 36, is ADOPTED as an Order of the Court.
2. Malibu's Motion for Default Judgment, ECF No. 28, is GRANTED with respect to the requests for statutory damages and injunctive relief, and DENIED with respect to the request for attorney's fees.
3. Malibu is AWARDED a total of \$24,000.00 in statutory damages.
4. That award shall accrue post-judgment interest as provided for and calculated in accordance with 28 U.S.C. § 1961.
5. Defendant is ENJOINED from directly, contributorily, or indirectly infringing Malibu Media's rights under federal or state law in Malibu's copyrighted works listed in Malibu Media's Motion for Default Judgment Exhibit A ("the Works"), ECF No. 28-2, including, without limitation, by using the internet, BitTorrent or any other online media distribution system to reproduce (e.g., download) or distribute the Works, or to make the Works available for distribution to the public, except pursuant to a lawful license or with the express authority of Malibu.
6. Defendant is ORDERED to destroy all copies of Malibu's works that the Defendant has downloaded onto any computer hard drive or server without Malibu's authorization, and shall destroy all copies of the Works transferred onto any physical medium or device in Defendant's possession, custody, or control.
7. The Clerk is directed to CLOSE this case.

Date: February 5, 2018

/s/
THEODORE D. CHUANG
United States District Judge